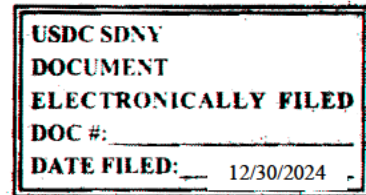


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



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**HANNIBAL WHEATLEY, on behalf of himself and
all others similarly situated,**

Plaintiff,

24-CV-07312 (JAV)(SN)

-against-

**INITIAL PRETRIAL
CONFERENCE ORDER**

**THE NEXT CHAPTER NY LLC, d/b/a/
TREEHOUSE,**

Defendant.

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SARAH NETBURN, United States Magistrate Judge:

On December 27, 2024, the Honorable Jeannette A. Vargas referred this case to my docket for general pretrial supervision. Accordingly, an Initial Pretrial Conference pursuant to Rule 16 is scheduled for Friday, February 7, 2025, at 10:00 a.m. At that time the parties should dial into the Court's dedicated teleconferencing line at (855) 244-8681 and enter Access Code 23142707008.

Previously, the Honorable Valerie Caproni stayed Defendant's deadline to answer or otherwise respond to the complaint to February 7, 2025, and ordered the parties to meet and confer by January 10, 2025, to discuss settling this case. ECF No. 5. Judge Caproni further ordered the parties to submit a joint letter and proposed Civil Case Management Plan and Scheduling Order by January 30, 2025. These deadlines remain in effect.

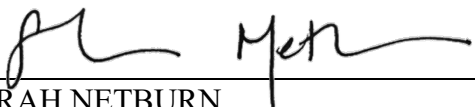
Rule 16(a) Conference. The Court intends to engage in a meaningful discussion in order to schedule an appropriate case management plan. The parties will be required to discuss at the conference the subjects set forth in Rule 16(b) and (c) of the Federal Rules of Civil Procedure. In particular, the parties should be prepared to address: (i) the scope of discovery as defined by

Rule 26(b)(1) as amended; (ii) whether phased discovery – that is, focusing on sources that are easier and cheaper to produce before moving on to more difficult and expensive sources – is appropriate; (iii) whether the parties anticipate the need for a protocol concerning electronically stored information (ESI); (iv) whether a protective order is necessary or appropriate; and (v) whether issues related to the attorney-client privilege are likely to be material and if an order under Federal Rule of Evidence 502 is appropriate.

Rule 26(f) Conference. In advance of the Rule 16 conference, counsel for the parties are directed to confer to discuss the matters set forth in Rule 26(f) of the Federal Rules of Civil Procedure. In order to promote a just, speedy and inexpensive resolution of this case, the parties are further directed to read the Advisory Committee Notes from the 2015 Amendments to Rule 26. The parties shall comply with their Rule 26(a) initial disclosure obligations no later than 14 days after the parties' Rule 26(f) conference.

Proposed Scheduling Order. By January 30, 2025, the parties are directed to complete the Civil Case Management Plan and Scheduling Order, available at <https://nysd.uscourts.gov/hon-sarah-netburn>, and e-mail it to Netburn_NYSDChambers@nysd.uscourts.gov. Counsel who disagree about the dates or other terms of the proposed schedule, shall submit a joint letter briefly explaining the dispute.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: December 30, 2024
New York, New York